

RECEIVED MAR 08 2010 OFFICE OF PETITIONS

February 24, 2010

Mail Stop: Petition **Commissioner for Patents** P.O. Box 1450 Alexandria VA 22313-1450

STATEMENT FOR DELAY IN PAYMENT OF THE MAINTENANCE FEES

Dear Sir/Madam:

Petitioner states that the delay in payment of the maintenance fees for the following patents was unintentional:

6,808,840; issued 10/26/2004

6,811,916; issued 11/2/2004

6,852,443; issued 2/8/2005

6,924,058; issued 8/2/2005

Please contact me with any questions or comments.

Respectfully submitted,

Chis D'Conto

Chris D'Couto Ph.D. President and CEO

Neah Power Systems, Inc.

206 819 4582 (c)

425 482 9263 (ph) 425 483 8454 (fax)

> 22118 - 20th Ave SE, Suite 142 Bothell, WA 98021 Ph: 425.424.3324 Fax: 425-483-8454

www.neahpower.com